## **ORDINANCE NO. 0-05-16**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON AMENDING SECTIONS 18.58.040G AND 18.58.060F (PUBLIC NOTICING REQUIREMENTS) OF TITLE 18 OF THE COLTON MUNICIPAL CODE (FILE INDEX NO. DAP-001-287).

WHEREAS, on January 26, 2016 and February 9, 2016, the Planning Commission of the City of Colton ("Planning Commission") conducted a duly noticed public hearing and recommended the City Council of the City of Colton ("City Council") amend Section 18.12.060 (Building Projections – R-1 Zone), 18.12.170 (Parking Requirements – R-1 Zone), and Sections 18.58.040G and 18.58.060F (Public Noticing Requirements) of Title 18 of the Colton Municipal Code (the "Municipal Code"). Following the conclusion of said hearing, the Planning Commission adopted their Resolution No. R-4-16, recommending approval to the City Council ("Zoning Text Amendment"; and

WHEREAS, the Planning Commission adopted a Resolution recommending approval of the Zoning Text Amendment to the City Council; and

WHEREAS, the City Council has determined that the Zoning Text Amendment is consistent with the City of Colton General Plan ("General Plan") as indicated below; and

WHEREAS, the City Council has determined that the proposed Zoning Text Amendment is in the best interests of the City, and that it would be in the public interest to approve the Zone Text Amendment; and

WHEREAS, the Zoning Text Amendment was reviewed, studied and found exempt from the California Environmental Quality Act ("CEQA") as more fully described below; and

WHEREAS, on March 15, 2016, the City Council held a duly noticed public hearing at which persons wishing to testify in connection with the Zoning Text Amendment were heard and the Zoning Text Amendment was comprehensively reviewed.

1	WHEREAS, the City Council has determined that amendments to Sections 18.12.060 and				
2	18.12-170 shall be removed from said Zoning Text Amendment and considered separately from				
3	Ordinance No. O-05-16.				
4	WITEDEAC all other level control of the desired of the control of				
5	WHEREAS, all other legal prerequisites to the adoption of this Ordinance have occurred.				
6	NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON DOES				
7	ORDAIN AS FOLLOWS:				
8	SECTION 1. The City Council hereby adopts the recitals and findings set forth above and				
9	in the agenda report prepared in connection with this Ordinance.				
10	SECTION 2. General Plan Consistency. Based on the entire record before the City Council and all written and oral evidence presented, including the staff report and the findings made				
11	in this Ordinance, the City Council hereby finds and determines that the proposed Ordinance				
12	consistent with the goals and policies of the City of Colton General Plan and is reasonably related to the public welfare of the citizens of the City and surrounding regions. Specifically, the provisions				
13	of this Ordinance to increase public noticing requirements from 300-foot radius to 660-foot radiu				
14	is reasonably related to the public welfare of the citizens of the City and surrounding region by increasing the public's awareness and opportunities for involvement in land use projects which may affect their property interests and personal welfare.				
15	SECTION 3. Section 18.58.040 of Chapter 18.58 of Title 18 of the Colton Municipal				
16	Code, pertaining to Variances, is hereby amended to read as follows:				
17	18.58.040 - Variances.				
18	G. Notice of time and place of the hearing Shall be given through the United States mail, with postage prepaid, to all Persons shown on the last equalized assessment roll of the County, as				
19	owning Property within a distance of three <u>six hundred sixty</u> feet from the external boundaries of the Property described in the Application.				
20					
21	SECTION 4. Section 18.58.060 of Chapter 18.58 of Title 18 of the Colton Municipal Code, pertaining to Conditional Use Permits, is hereby amended to read as follows:				
22	18.58.060 – Conditional Use Permits.				
23	F. Notice of the time and place of the hearing Shall be given by Notice through the United States				
24	mail, with postage prepaid, to all Persons shown on the last equalized assessment roll of the County, as owning Property, and tenants of each Property, within a distance of three six				
25	<u>hundred sixty</u> feet from the external boundaries of the Property described in the Application.				
26	SECTION 5. If any sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decisions shall not affect the validity of the remaining				
27	provisions of this Ordinance.				

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Ordinance No. O-05-16 Page 3 of 3 1 **SECTION 6.** The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this Ordinance may have a significant adverse effect on the 2 environment. Thus, the adoption of this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA 3 Guidelines. 4 **SECTION 7.** Certification/Publication. The City Clerk shall certify to the passage of the 5 Ordinance and cause the same or a summary thereof to be published within fifteen (15) days after adoption in a newspaper of general circulation published and circulated in the City of Colton. 6 SECTION 8. This Ordinance shall become effective thirty (30) days after its adoption in 7 accordance with the provisions of California law. 8 **PASSED, APPROVED AND ADOPTED** on this 5th day of April, 2016. 9 10 11 RICHARD A. DELAROSA Mayor 12 ATTEST: 13 14 15 CAROLINA R. PADILLA City Clerk 16 17 18 19 20 21 22 23 24 25 26 27 28 - 3 -

1	STATE OF CALIFORNIA ) COUNTY OF SAN BERNARDINO ) ss					
2						
3	CITY	OF COLTO	N )			
			CEDT	ELCATION.		
4	CERTIFICATION					
5	I, CAROLINA R. PADILLA, City Clerk of the City of Colton, California, do hereby					
6	certify under penalty of perjury that the foregoing is a full, true and correct copy of					
7	ORDINANCE NO. O-05-16, and was duly passed, approved, and adopted by the City					
8 .	Council of the City of Colton at its Regular Meeting held on the 5th day of April, 2016,					
9	by the following vote to wit:					
10						
11		AYES:	COUNCILMEMBER	Toro, Jorrin, Navarro, González, Suchil and Mayor DeLaRosa		
12		NOES:	COUNCILMEMBER	None		
13						
14		ABSTAIN:	COUNCILMEMBER	None		
15		ABSENT:	COUNCILMEMBER	Bennett		
16	IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official					
17						
18	seal of the City of Colton, California, this day of,					
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20						
21	CAROLINA R. PADILLA City Clerk City of Colton, California					
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23						
24	(SEA)	(7)				
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